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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,526	12/05/2001	Markus Oechsle	P21469	4387

7055 7590 03/13/2003
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EXAMINER

HALPERN, MARK

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,526

Applicant(s)

OECHSLE ET AL.

Examiner

Mark Halpern

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-87 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 31-87 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

- 1) Acknowledgement is made of preliminary Amendments received 12/5/2001, and 12/19/2001, Papers No. 5 and 7. Applicants amend Specification, cancel claims 1-30, and offer new claims 31-87, for consideration.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- 2) Claims 31-47, 50-59, 62, 64-66, 69-87, are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (5,377,428).

Claims 31-45, 50-59, 62, 64-66, 69-73, 75-82, 85-87: Clark discloses a drying control system and method in a machine during the formation of paper web 13. The controls of Clark detect data at the following systems: the web formation section, the press section 18, the main dryer section 24 and the individual drying cylinders within the section, size press 27, after dryer section 29, and caliper scanner 32 prior to take-up reel 34. The system is a simultaneous detecting and collecting system using scanners for such data that includes a high and a low web temperature profiling, a series of shower and heater arrays to increase or decrease the drying rate for optimum drying, steam shower profiling, information relating to the weight, moisture content and caliper

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of the final web product, the machine speed and steam energy usage. The system collects data from individual dryer cylinders of group 24. The information is collected in both machine direction and cross direction. The information is fed to a control computer 48, that stores and evaluates the data received, resulting in process steps adjusting, as required, to increase or decrease the drying rate at the various systems and subsystems, for example, at the individual dryer cylinder rolls of group 24. It is inherent that computer 48, has programmed a process model of the web manufacture (col. 8, line 4, to col. 11, line 42, and Figures 1-8).

Claims 46-47: a Fourdrinier screen is disclosed (col. 5, lines 32-54). A profiling steam shower array 16 is positioned at the downstream end of the wire table across the width of the web 13 to increase the drying rate as required (col. 8, lines 24-35).

Claim 74: steam blow boxes are disclosed (col. 9, lines 33-48).

Claims 83-84: linearly movable measuring devices are disclosed (col. 11, line 57 to col. 12, line 61, and Figures 6a and 6b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) Claims 48-49, are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Fiedler (4,614,044). Clark is applied as above for claim 31, Clark fails

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to disclose that the method includes collecting of an environmental data, such as, air temperature. Fiedler discloses collecting air temperature in the process of thermal treatment for fabrics (Abstract). It would have been obvious to combine the teachings of Clark and Fiedler, because such a combination would provide improved means of controlling the drying process of Clark.

4) Claims 60-61, are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Fiore (6,024,835). Clark is applied as above for claim 31, Clark fails to disclose that the method includes transmitting the data to another location, by means of the Internet. Fiore discloses a quality control process for a paper mill that includes communicating with the global data for sending data to each address identified by a global data base (col. 8, lines 8-46). It would have been obvious to combine the teachings of Clark and Fiore, because such a combination would provide means of providing data input from outside sources to the drying process of Clark.

5) Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Kustermann (6,171,642). Clark is applied as above for claim 31, Clark fails to disclose that the method includes detecting data using reflection measurement. Kustermann discloses a fiber web coating process detecting data using reflection measurement (col. 11, lines 3-6). It would have been obvious to combine the teachings of Clark and Kustermann, because such a combination would provide expanded means of detecting data in the process of Clark.

6) Claims 67-68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark in view of Arno (6,099,620). Clark is applied as above for claim 31, Clark fails to

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disclose that the method comprises regulating or checking a heating curve. Arno discloses using a heating curve in a process control environment (col. 6, lines 9-21). It would have been obvious to combine the teachings of Clark and Arno, because such a combination would provide improved means of controlling the drying process of Clark.

Conclusion

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Halpern whose telephone number is 703-305-4522. The examiner can normally be reached on Mon-Fri, (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 703-308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7718 for regular communications and 703-305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



Mark Halpern
Patent Examiner
Art Unit 1731

March 7, 2003